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SUITE 1600 CHICAGO, IL	60604		ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)	
	10/568,007	JEONG ET AL.	
Office Action Summary	Examiner	Art Unit	
	SUNG AHN	2611	
The MAILING DATE of this communication ap Period for Reply	opears on the cover sheet w	vith the correspondence addre	ess
A SHORTENED STATUTORY PERIOD FOR REPLANT OF THE MAILING IN THE WELL ONGER, FROM THE MAILING IN T	DATE OF THIS COMMUN .136(a). In no event, however, may a d will apply and will expire SIX (6) MC tte, cause the application to become A	ICATION. Treply be timely filed NTHS from the mailing date of this commandation (35 U.S.C. § 133).	
Status			
 Responsive to communication(s) filed on 17. This action is FINAL. 2b) Th Since this application is in condition for allow closed in accordance with the practice under 	is action is non-final. ance except for formal ma	•	erits is
Disposition of Claims			
4) ☑ Claim(s) <u>22-51</u> is/are pending in the applicati 4a) Of the above claim(s) is/are withdress 5) ☐ Claim(s) is/are allowed. 6) ☒ Claim(s) <u>22-51</u> is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/	awn from consideration.		
Application Papers			
9) The specification is objected to by the Examination The drawing(s) filed on is/are: a) accomposed and applicant may not request that any objection to the Replacement drawing sheet(s) including the correct of the oath or declaration is objected to by the Examination is objected to by the Examination is objected.	ccepted or b) objected to e drawing(s) be held in abeya ction is required if the drawin	ance. See 37 CFR 1.85(a). g(s) is objected to. See 37 CFR 1	, ,
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of: 1. Certified copies of the priority documer 2. Certified copies of the priority documer 3. Copies of the certified copies of the pri application from the International Bures * See the attached detailed Office action for a list	nts have been received. nts have been received in ority documents have bee au (PCT Rule 17.2(a)).	Application No n received in this National Sta	age
Attachment(s)			
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No	Summary (PTO-413) (s)/Mail Date Informal Patent Application 	

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DETAILED ACTION

Response to Amendment

- 1. This action is in reply to the Applicant's amendments filed on 17 November 2010.
- 2. Claims 22-51 have been added.
- 3. Claims 1-21 have been canceled.
- 4. Claims 22-51 are currently pending and have been examined.

Response to Arguments

- 5. Claims 1-21 have been canceled thus objections to claims 4, 6, 11, 13, 14, 15, and 17 are hereby withdrawn.
- 6. Claims 1-21 have been canceled thus the 35 U.S.C. § 112 Rejections 2nd paragraph rejection to 2, 10, and 20 are hereby withdrawn.
- 7. Applicant's arguments filed on 17 November 2010 have been fully considered but they are not persuasive.

On pages 13 and 14 of the Applicant's Response, applicant argues cited prior arts (U.S. PGPub 20020080887 (Jeong) and WIPO Publication 02/058388 (Ahn)) are silent with respect to "the transmitting means is one of digital audio broadcasting system, a digital television (TV) broadcasting system, a digital satellite broadcasting system, and a digital cable broadcasting system" cited in new claim 22 (and similarly new independent claims 33, 37, and 48).

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The Examiner respectfully disagrees with Applicant's arguments because Jeong disclose the digital audio broadcasting system (Fig. 1) for transmitting digital audio signal over RF signal (Fig. 1, paragraph [0016, 0019, 0048]). Ahn further disclose the digital broadcasting of the audio and video data in packetized data stream (abstract, Page 1 lines 26-31). Therefore, both Jeong and Ahn teach the limitation of transmitting means is one of digital audio broadcasting system, a digital television (TV) broadcasting system, a digital satellite broadcasting system, and a digital cable broadcasting system as recited in claims 22, 33, 37, and 48.

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Drawings

8. The drawings are objected to under 37 CFR 1.83(a) because they fail to show detail of system decoding means for decoding the demultiplexed digital multimedia broadcasting media stream to produce media stream, additional data, and data objectified for an interactive service similar to details of systems encoder of Fig. 4. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary.

the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

- 9. Claim 22 is objected to because of the following informalities: The word "a system encoding means" need to be change to "a systems encoding means" in line 3 and 8. Appropriate correction is required.
- 10. Claim 22 is objected to because of the following informalities: The word "additional data" need to be change to "additional data," in line 5. Appropriate correction is required.
- 11. Claim 22 is objected to because of the following informalities: The word "an encoding means" need to be change to "an audio/video encoding means," in line 2. Appropriate correction is required.
- 12. Claim 26 is objected to because of the following informalities: The word "the system encoding means" need to be change to "the systems encoding means" in line 1.

 Appropriate correction is required.

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13. Claim 33 is objected to because of the following informalities: The word "a system decoding means" need to be change to "a systems decoding means" in line 11 and 8. Appropriate correction is required.

- 14. Claim 33 is objected to because of the following informalities: The word "a decoding means" need to be change to "an audio/video decoding means" in line 14. Appropriate correction is required.
- 15. Claim 37 is objected to because of the following informalities: The word "additional data" need to be change to "additional data," in line 3. Appropriate correction is required.

Claim Rejections - 35 USC § 103

- 16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 17. Claims 22, 23, 26-30, 33, 37, 38, 41-45, 48, and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPub. No. 20020080887 to Jeong et al. in further view of WIPO Pub. No. WO 02/058388 to Ahn et al.

As to **Claims 22 and 37**, Jeong disclose a digital multimedia broadcasting (DMB) system and method, comprising:

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an encoding means for encoding inputted audio/video signals (Fig. 1 (11-14));

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a multiplexing means for multiplexing the media stream (Fig. 1 (15), Fig. 6, paragraph [0051], where the encoded audio and data is multiplexed to MPEG-2 transport stream to be transmitted through modulation part);

an error correction encoding means for performing additional error correction encoding onto a media stream outputted from the multiplexing means (Fig. 1 (30), paragraph [0053, 0056], where the Reed-Solomon (RS) encoder for error correction);

an interleaving means for removing temporal correlation between adjacent byte units within a media stream outputted from the error correction encoding means(Fig. 1 (40), Fig. 7, paragraph [0053, 0061], where the outer interleaver performing byte-wise interleaving);

and a transmitting means for transmitting a DMB media stream outputted from the interleaving means (Fig. 1 (120, 130, 140), paragraph [0051], where the MPEG-2 transport stream is modulated and transmitted),

wherein the transmitting means is one of a digital audio broadcasting system, a digital television (TV) broadcasting system, a digital satellite broadcasting system, and a digital cable broadcasting system (Fig. 1, paragraph [0016, 0019], where the present invention is directed to the digital audio broadcasting system).

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Jeong disclose the transmission of encoded audio and data in MPEG-2 transport stream with added error correcting coding and interleaving (Fig. 1, paragraph [0051, 0053, 0061]) but does not explicitly disclose of the digital media broadcasting of synchronized video and the interactive service objectifying data through system encoding means.

Meanwhile Ahn disclose the transmission of MPEG-4 synchronized with MPEG-2 data by synchronizing (packetizing) the audio and video data along with object information such as object descriptor (OD) and binary format for scene (BIFS) through sync layer (SL) packetizer (Fig. 1 (131)) (Fig. 1, Page 1 line 25—Page 2 line 14, Page 7 line 31 – Page 8 line 3). Also the communication of interactive audio-visual scenes (data object for interactive service) is one of standard service supported along with video/audio for MPEG-4 format as described in ISO/IEC 14496-1 International Standard (Fig. 1, Section 0.6.2 on pages 10-11) and IEEE Journal "Virtual Shop and Virtual Meeting Point - Two Prototype Application of Interactive Services Using the New Multimedia Coding Standard MPEG-4" (abstract) presented here as evidential reference.

Therefore, one of ordinary skilled in the art would have found obvious from the combined teachings of Jeong and Ahn as a whole to produce the invention as claimed on expectation providing both MPEG-2 and MPEG-4 data for broadcasting and communication seamlessly by synchronizing newly proposed MPEG-4 format to existing MPEG-2 communication scheme (Ahn – Page 1 lines 13-23).

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As to **Claims 33 and 48**, Jeong disclose a digital multimedia broadcasting (DMB) system and method, comprising:

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a receiving means for receiving digital multimedia broadcasting media stream (Fig. 1, paragraph [0016, 0019, 0100], where the receiver of the digital audio broadcasting system include the corresponding deinterleaver and RS decoder (paragraph [0100]) to match the transmitter side and it will implicitly requires same RF receiving means to receive the broadcasted audio signal for deinterleaving and decoding);

a deinterleaving means for deinterleaving the received digital multimedia broadcasting media stream which is interleaved to remove temporal correlation in adjacent byte units (Fig. 1 (40), Fig. 7, paragraph [0053, 0061, 0100], where the receiver of the digital audio broadcasting system include the corresponding deinterleaver for deinterleaving the byte-wise interleaved data stream);

an error correction decoding means for performing additional error correction decoding onto deinterleaved digital multimedia broadcasting media stream which is generated from additional error correction encoding (Fig. 1 (30), paragraph [0053, 0056, 0100], where the receiver of the digital audio broadcasting system include the corresponding Reed-Solomon (RS) decoder for decoding encoded data stream by the Reed-Solomon (RS) encoder for error correction in transmitter side);

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a demultiplexing means for demultiplexing the additional error correction decoded digital multimedia broadcasting media stream which is multiplexed (Fig. 1 (15), paragraph [0051, 0100], where the receiver of the digital audio broadcasting system will implicitly requires the corresponding demultiplexing means for demultiplexing RS decoded data stream for audio and data decoding. Also the conventional demultiplexer (Fig. 1 (170)) after RS decoder (140) is shown in paragraph [0015] and Fig. 1 of U.S. PGPub. No. 20060150066 presented here as evidential reference);

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a decoding means for decoding the media stream into audio/video signals (Fig. 1 (11, 12, 13, 14), paragraph [0051, 0100], where the receiver of the digital audio broadcasting system will implicitly requires the corresponding decoding means for decoding the data stream into appropriate audio and data signals.

Also the conventional audio and video decoder after demultiplexer (Fig. 1 (170)) is disclosed in paragraph [0015] of U.S. PGPub. No. 20060150066 presented here as evidential reference);

wherein the receiving means is one of a digital audio broadcasting system, a digital television (TV) broadcasting system, a digital satellite broadcasting system, and a digital cable broadcasting system (Fig. 1, paragraph [0016, 0019], where the present invention is directed to the digital audio broadcasting system).

Jeong disclose the receiving of encoded audio (media stream) and data in MPEG-2 transport stream with added error correcting coding and interleaving for corresponding deinterleaving and RS decoding (Fig. 1, paragraph [0051, 0053,

0061, 0100]) but does not explicitly disclose of generating the interactive service objectifying data through system decoding means.

Meanwhile Ahn disclose the transmission of MPEG-4 synchronized with MPEG-2 data by synchronizing (packetizing) the audio and video data along with object information such as object descriptor (OD) and binary format for scene (BIFS) through sync layer (SL) packetizer (Fig. 1 (131)) (Fig. 1, Page 1 line 25— Page 2 line 14, Page 7 line 31 – Page 8 line 3). Also the communication of interactive audio-visual scenes (data object for interactive service) is one of standard service supported along with video/audio for MPEG-4 format as described in ISO/IEC 14496-1 International Standard (Fig. 1, Section 0.6.2 on pages 10-11) and IEEE Journal "Virtual Shop and Virtual Meeting Point - Two Prototype Application of Interactive Services Using the New Multimedia Coding Standard MPEG-4" (abstract) presented here as evidential reference. Further, the receiver side implicitly extracts the interactive service objectifying data through the extracting/decoding means corresponding to the synchronizing through packetizing of MPEG-4 with MPEG-2 data in transmitter of the digital broadcasting system (Page 1 line 26 - Page 2 line 14, Page 14 lines 22-29).

Therefore, one of ordinary skilled in the art would have found obvious from the combined teachings of Jeong and Ahn as a whole to produce the invention as claimed on expectation providing both MPEG-2 and MPEG-4 data for broadcasting and communication seamlessly by synchronizing newly proposed

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MPEG-4 format to existing MPEG-2 communication scheme (Ahn – Page 1 lines 13-23).

As to Claims 23 and 38, Jeong in view of Ahn further disclose the digital multimedia broadcasting (DMB) system wherein the audio/video signal is encoded and transmitted in predetermined format (MPEG-2, MPEG-4, etc) but does not explicitly disclose converting audio/video signal to predetermined format by preprocessing before encoding. Meanwhile it is well known in art that raw video/audio source (analog) is converted to frame of data of certain format (digital) before encoded through use of digital camcorders, digital cameras, etc. The generation of video frame from standard source before encoding is shown in Fig. 1 and Col. 1 lines 28-37 of U.S. Pat. No. 6570926 presented here as evidential reference.

As to **Claims 26 and 41**, Ahn further disclose the digital multimedia broadcasting (DMB) system wherein the synchronizing means include:

an Object Descriptor (OD)/Binary Format for Scene (BIFS) generating means for generating OD/BIFS for interactive service (Fig. 1 (121), Page 7 line 31 – Page 8 line 3, where the object separator extract the object descriptor (OD) and binary format for scene (BIFS) and send to sync layer packetizer along with audio and video for generating synchronized packet stream);

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an Initial Object Descriptor (IOD) generating means for generating an IOD (Fig. 1 (121), Page 7 line 31 – Page 8 line 3, where the object separator extract the initial object descriptor (IOD) to be used in PSI);

a sync layer packetizing means for synchronizing media streams outputted from the encoding means and the OD/BIFS generating means (Fig. 1 (131), Page 7 line 31 – Page 8 line 3, where the sync layer packetizer packetizes the audio and video along with OD and BIFS for generating synchronized packet stream);

The suggestion/motivation is the same as that used in the rejection for claims 22 and 37.

As to **Claims 27 and 42**, Ahn further disclose the digital multimedia broadcasting (DMB) system wherein the multiplexing means includes:

a PES packetizing means for generating a Program Elementary Stream (PES) based on a packet outputted from the sync layer packetizing means (Fig. 1 (136));

a section packetizing means for generating section based on data which is outputted from the IOD generating manes and a packet which is generated in the sync layer packetizing means based on a OD/BIF stream, wherein the OD/BIFS stream is outputted from the OD/BIFS generating means (Fig. 1 (134, 135), Page 7 line 31 – Page 8 line 3, where the PSI generator generating PSI using IOD from object separator);

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a transport stream (TS) packetizing means for packetizing data outputted from the PES packetizing means, the section packetizing means and the PSI generating means into transport stream (Fig. 1 (137))

The suggestion/motivation is the same as that used in the rejection for claims 22 and 37.

As to **Claims 28 and 43**, Ahn further disclose the digital multimedia broadcasting (DMB) system wherein the section packetizing means includes:

a 14496 section packetizing means for generating 14496 section based on the packet which is generated in the sync layer packetizing means based on the OD/BIFFS streams (Fig. 1 (135));

a Program Service Information (PSI) generating means for generating PSI based on the data outputted from the IOD generating means (Fig. 1 (134), Page 7 line 31 – Page 8 line 3, where the PSI generator generating PSI using IOD from object separator);

The suggestion/motivation is the same as that used in the rejection for claims 22 and 37.

As to Claims 29, 36, 44, and 51, Jeong further disclose the digital multimedia broadcasting (DMB) system wherein the error correction encoding means is a RS encoder/decoder (Fig. 1 (30), Fig. 6, paragraph [0056, 0100],

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where the shortened RS code (204, 188, t=8) is used for correcting errors to enhanced the bit error rate (inherent function of RS encoder/decoder)).

As to **Claims 30 and 45**, Jeong further disclose the digital multimedia broadcasting (DMB) system wherein the interleaving means is formed of 12 branches, and each branch, where is formed of memories based on a 17-byte x N unit (N=0,1,2, ..., 11), has input and output switches synchronized with each other, and a synchronizing word for synchronization is transmitted always through a '0' branch and the synchronization of a deinterleaver is obtained by allocating the first recognized synchronization word to the '0' branch (Fig. 7, paragraph [0061], where the interleaver composed of 12 branches with 17-byte x N shift registers (memory) and sync byte always be routed through branch '0').

18. Claims 24, 25, 34, 35, 39, 40, 49, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPub. No. 20020080887 to Jeong et al. and WIPO Pub. No. WO 02/058388 to Ahn et al. in further view of White Paper "AVC + AAC The Next Generation of Compression" by Harmonic.

As to Claims 24, 25, 34, 35, 39, 40, 49, and 50, Jeong in further Ahn disclose the digital multimedia broadcasting (DMB) system with MPEG-4 audio/video data (Ahn – Page 1 lines 26-33) and MPEG-2 audio coding/encoding and decoding (codec) using Advanced Audio Coding (AAC) but does not

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explicitly disclose of the using other coding/encoding and decoding (codec) format of "MPEG-4 Part 2" or "MPEG4-Part 10 Advanced Video Coding (AVC)" as video encoder and "Advanced Audio Coding (AAC)", "AAC+", or "Bit Sliced Arithmetic" Coding (BSAC)" as audio encoder.

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Meanwhile it is well know in art that MPEG-4 supports additional coding/encoding and decoding (codec) format to take full advantage of new standard. Also Harmonic white paper disclose the new standard codec format of MPEG-4 Part 10 or MPEG-4 Advanced Video Coding along with high efficiency Advanced Audio Coding (AAC) proposed by ITU and ISO to achieve 40-50% gain over MPEG-2 system (Page 2 - 2nd paragraph, Page 3 – 5th and 6th paragraph).

Therefore, one of ordinary skilled in the art would have found obvious from the combined teachings of Jeong, Ahn, and Harmonic white paper as a whole to produce the invention as claimed with on expectation of improving digital broadcasting system using improved compression of audio/video signal (more data in transmitted signal) using newly proposed standard of coding/encoding and decoding (codec) format of "MPEG-4 Part 10 Advanced Video Coding" along with high efficiency Advanced Audio Coding (AAC).

19. Claim 31 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPub. No. 20020080887 to Jeong et al. and WIPO Pub. No. WO 02/058388 to

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Ahn et al. in further view of European Telecommunication Standard Institution Draft for Digital Audio Broadcasting (DAB) Ensemble Transport Interface to ETSI.

As to **Claims 31 and 46**, Jeong in further Ahn disclose the digital audio broadcasting (DAB) system for providing services through the interleaved digital multimedia broadcasting media stream (Jeong – Fig. 1, paragraph [0003, 0015]) but does not explicitly disclose the an Ensemble Transport Interface (ETI) converting means for converting the digital multimedia broadcasting media stream into an ETI frame and delivering the ETI frame to the transmitting means.

Meanwhile ETSI disclose the proposed the Ensemble Transport Interface (ETI) for Digital Audio Broadcasting system to be transmitted over the transport network using ETI frame format (Page 8 - Introduction, Page 55 - Fig. 12, Page 11 - Scope).

Therefore, one of ordinarily skilled in the art would have found obvious from the combined teachings of Jeong, White, and ETSI as a whole to produce the invention as claimed with on expectation expanding the number of different physical media including the transport network for the broadcasting of digital multimedia stream (ETSI – Page 11 (Scope)).

20. Claim 32 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. PGPub. No. 20020080887 to Jeong et al. and WIPO Pub. No. WO 02/058388 to Ahn et al. in further view of U.S. Pat. No. 7492786 to Ferris.

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As to Claims 32 and 47, Jeong in further Ahn disclose the digital multimedia broadcasting (DMB) system transmitting the interleaved digital multimedia broadcasting media stream (Jeong – Fig. 1 (120, 130, 140), paragraph [0051]) (Ahn – abstract) but does not explicitly disclose the an Internet Protocol (IP) datagram converting means for converting the digital multimedia broadcasting media stream into an IP datagram and delivering the IP datagram to the transmitting means.

Meanwhile Ferris disclose the encoding the digital streaming media and sending to the central multiplexer using IP based protocol to reduce the cost over sending the digital streaming data using service transport interface (STI) (abstract, Col. 2 line 67 – Col. 3 line 23).

Therefore, one of ordinarily skilled in the art would have found obvious from the combined teachings of Jeong, White, and Ferris as a whole to produce the invention as claimed with on expectation of reducing the cost of transmitting the digital multimedia stream using IP based protocol.

Conclusion

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNG AHN whose telephone number is (571)270-3706. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571)272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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